

STEVEN G. KALAR
Federal Public Defender
JOYCE LEAVITT
Assistant Federal Public Defender
555 12th Street, Suite 650
Oakland, CA 94607-3627
(510) 637-3500

Counsel for Defendant SANCHEZ-ESPINO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR SANCHEZ ESPINO,

Defendant.

No. CR 12-0323 YGR

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CHANGE OF
PLEA DATE; EXCLUSION OF TIME

STIPULATION

IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of plea date in this case with respect to Victor Sanchez Espino, currently scheduled for Thursday, October 25, 2012, at 2:00 p.m., may be continued to Thursday, November 15, 2012, at 2:00 p.m. for change of plea. The reason for the continuance is that defense counsel needs additional time to complete review of the agreement with Mr. Sanchez Espino and discuss proposed changes with the government prior to the next court date. The parties therefore stipulate that the time from October 25, 2012, to November 15, 2012, should be excluded in accordance with the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv) for adequate preparation of counsel so that counsel can

1 review the plea agreement and revisions with Mr. Sanchez Espino prior to the next court date.

2 DATED: 10/24/12

/s/
JOYCE LEAVITT
Assistant Federal Public Defender

4 DATED: 10/24/12

/s/
RANDY S. LUSKEY
Assistant United States Attorney

7 I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all
8 signatures within this e-filed document.

9 **ORDER**

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that change of plea date in this
11 case with respect to Victor Sanchez Espino, currently scheduled for Thursday, October 25, 2012, at
12 2:00 p.m. is continued to Thursday, November 15, 2012, at 2:00 p.m. for change of plea.

13 IT IS FURTHER ORDERED that the time from October 25, 2012, to November 15, 2012,
14 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b),
15 (h)(7)(A) and (B)(iv) for adequate preparation of counsel so that counsel can complete review of the
16 plea agreement and revisions with Mr. Sanchez Espino prior to the entry of the change of plea. The
17 Court finds that there is good cause and that the ends of justice served by the granting of the
18 continuance outweigh the best interests of the public and the defendant in a speedy and public trial
19 and the failure to grant the requested continuance would unreasonably deny counsel the reasonable
20 time necessary for effective preparation, taking into account due diligence.

23 SO ORDERED.

24 DATED: 10/24/12


HON. YVONNE GONZALEZ ROGERS
United States District Judge